

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 10 2006 A9  
at 3 o'clock and 59 min. P  
SUE BEITIA, CLERK

Attorneys for Plaintiffs/Limitation Defendants  
SHIROH FUKUOKA, Individually and  
as Personal Representative of  
THE ESTATE OF MITSUKO FUKUOKA, and  
as Next Friend Of MIHO FUKUOKA, a Minor

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

In the Matter

Of

The Complaint of MORNING STAR  
CRUISES, INC., a Hawaii  
corporation.

SHIROH FUKUOKA,

Plaintiff,

Vs.

MORNING STAR CRUISES, INC.,

) Civil No. CV03-00672SOM  
) (Non-Vehicle Tort)

) **DEFENDANT LIMITATION**  
) **DEFENDANT THE ESTATE OF**  
) **MITSUKO FUKUOKA'S MEMORANDUM**  
) **IN OPPOSITION TO MOTION FOR**  
) **LEAVE TO FILE MOTION FOR**  
) **SUMMARY JUDGMENT;**  
) **DECLARATION OF ROBERT D.**  
) **KAWAMURA; CERTIFICATE OF**  
) **SERVICE**

) **Date: May 26, 2006**

) **Time: 9:00 a.m.**

) **Judge: Barry M. Kurren**

**DEFENDANT LIMITATION DEFENDANT THE ESTATE OF MITSUKO  
FUKUOKA'S MEMORANDUM IN OPPOSITION TO MOTION FOR LEAVE  
TO FILE MOTION FOR SUMMARY JUDGMENT**

I. Argument

Limitation Defendant THE ESTATE OF MITSUKO FUKUOKA, by and through its attorney, Robert D. Kawamura, hereby opposes Limitation Plaintiff's Motion For Leave To File Motion For Summary Judgment as said motion could have been filed within the required time. In addition, the subject discovery responses are forthcoming making this motion moot.

II. Conclusion

Based on the foregoing, Limitation Plaintiffs/Defendants respectfully request that the court provide them with three weeks within which to provide their discovery responses and documents to Limitation Plaintiff.

Dated: Honolulu, Hawaii, May 10, 2006.

  
Robert D. Kawamura

Attorney for Limitation  
Defendants  
SHIROH FUKUOKA, Individually  
and as Personal Representative  
of THE ESTATE OF MITSUKO  
FUKUOKA, and as Next Friend Of  
MIHO FUKUOKA, a Minor